



**DEPARTMENT OF
LABOR**
& INDUSTRIAL RELATIONS

OFFICE OF GENERAL COUNSEL

421 East Dunklin Street, P.O. Box 59
Jefferson City, MO 65104-0059
Phone: 573-751-3844
Fax: 573-751-2947
www.labor.mo.gov
Email: legal@labor.mo.gov

MICHAEL L. PARSON
GOVERNOR

ANNA S. HUI
DEPARTMENT DIRECTOR

TODD A. SCOTT
GENERAL COUNSEL

July 8, 2020

Mr. Jake Bittle
Via email to 97947-34113555@requests.muckrock.com

Re: Sunshine Law Request
Kindred Healthcare Inc. dba Kindred Hospitals or Kindred At Home

Dear Mr. Bittle:

This letter is in response to your July 7, 2020 email requesting information regarding the above-referenced pursuant to the Missouri Sunshine Law. Your request was received at the Office of General Counsel, the official custodian of records for this agency, on July 8, 2020.

A review of the Department's files indicates receipt of one complaint against Kindred At Home. Enclosed are copies of the letter assigning the complaint to be investigated and the close out letter to the complainant. The cost for providing the information has been waived as de minimis.

Documents obtained by the Department may not be disclosed under Section 290.520, RSMo, which states, in part, that "All the records and information obtained by the Department of Labor and Industrial Relations are confidential and shall be disclosed only on order of a court of competent jurisdiction." Thus, these are closed records under Mo. Rev. Stat. Sect. 610.021(14).

Sincerely,

Bart A. Matanic
Assistant General Counsel
573-522-9972

Enclosure



3315 West Truman Boulevard, Room 205
P.O. Box 449
Jefferson City, MO 65102-0449
Phone: 573-751-3403
Fax: 573-751-3721
www.labor.mo.gov/DLS
Email: laborstandards@labor.mo.gov

MICHAEL L. PARSON
GOVERNOR

ANNA S. HUI
DEPARTMENT DIRECTOR

TAYLOR BURKS
DIVISION DIRECTOR

June 11, 2020



Re: Complaint No. MW-0520-309
Company: Kindred at Home

Dear [REDACTED]

After completing an investigation, the wage and hour specialist assigned to this complaint was unable to substantiate a violation of the Missouri Minimum Wage Law. Consequently, the Division has closed its file on this matter.

However, please note, as stated in our May 13, 2020 letter we do not have authority to pursue wages for unpaid workers and you have the right to file a private right of action. See <http://revisor.mo.gov/main/OneSection.aspx?section=290.527&bid=15346&hl>. Also, you may consider contacting the US Department of Labor for assistance. You can reach their St. Louis office at (314) 539-2706.

Thank you for bringing this issue to our attention. If you have any questions, please do not hesitate to contact me at (573) 751-3403 or minimumwage@labor.mo.gov.

Sincerely,

Brenda Hentges

Brenda Hentges
Program Manager
Wage & Hour

BH/bk

c: Michelle Cotten, Wage & Hour Specialist

*Missouri Department of Labor and Industrial Relations is an equal opportunity employer/program.
TDD/TTY: 800-735-2966 Relay Missouri: 711*



DIVISION OF LABOR STANDARDS

3315 West Truman Boulevard, Room 205
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MICHAEL L. PARSON
GOVERNOR

ANNA S. HUI
DEPARTMENT DIRECTOR

TAYLOR BURKS
DIVISION DIRECTOR

May 13, 2020

RE: Complaint No. MW-0520-309
Company: Kindred at Home

Dear [REDACTED]

This letter is to acknowledge receipt of your complaint. Thank you for contacting the Division of Labor Standards.

The Division is currently processing your complaint and will determine whether the above-referenced company is in violation of the Missouri Minimum Wage Law. If the findings of the Division support a violation, the Division will seek restitution on your behalf. Please note however, the Missouri Minimum Wage Law does not give the Division the authority to sue for back wages and this office cannot file a claim for wages owed to workers. Workers have the right to file a private right of action pursuant to Section 290.527 RSMo, to recover wages due, an additional equal amount as liquidated damages and reasonable attorney fees. Please be advised that all actions for the collection of wages shall be commenced within two years. Workers can represent themselves in Small Claims Court if the amount due is less than \$5,000.00 or by private legal counsel for a greater amount. You may access a copy of the Missouri Minimum Wage Law, including Section 290.527 RSMo at <http://revisor.mo.gov/main/OneChapter.aspx?chapter=290>.

You may contact your local county court house for more information regarding the filing process. Please advise this office at minimumwage@labor.mo.gov if you choose to pursue a private right of action or receive your back wages prior to being contacted by the specialist. Also, should your telephone number, email address or mailing address change before you are contacted by a specialist, please update it by sending an email to minimumwage@labor.mo.gov.

Once the Division completes this investigation, we will notify you of our findings. In the meantime, if you contact the office regarding this complaint, please use the above-referenced complaint number.

Sincerely,

Brenda Kissinger

Brenda Kissinger
Administrative Office Support Assistant
Division of Labor Standards

c: Michelle Cotten, Wage & Hour Specialist

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